

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAREEM WARD,

Plaintiff,

-against-

BUREAU OF VITAL RECORDS; D.C. 37
UNION INSURANCE COMPANY,

Defendants.

24-CV-0198 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, filed this action on July 5, 2023, in the United States District Court for the Eastern District of New York. By order dated August 15, 2023, the Honorable Nina R. Morrison of that court, transferred Plaintiff's action to this court. *See Ward v. Bureau of Vital Records*, No. 23-CV-5236 (NRM) (LB) (E.D.N.Y. Aug. 15, 2023).

On August 30, 2023, the Eastern District of New York's August 15, 2023 order, that was mailed to the Plaintiff, was returned to that court with the following notations on the envelope, "Return to sender, no such number, unable to forward." (ECF No. 5.) On January 10, 2024, the action was received by this court from the Eastern District of New York. (ECF No. 6.)

By order dated May 24, 2024, the Court directed Plaintiff, within thirty days, to provide the court with an updated address and specified that failure to comply would result in dismissal of the complaint. The Court directed the Clerk's Office to mail the May 24, 2024 order to Plaintiff at his last known address; that order was mailed to Plaintiff as directed and has not been returned to the court.

Plaintiff has not responded to the Court's May 24, 2024 order and has not initiated any further contact with the court, written or otherwise. Accordingly, the complaint is dismissed without prejudice under Fed. R. Civ. P. 41(b) for failure to prosecute.

CONCLUSION

The Court dismisses Plaintiff's complaint without prejudice under Fed. R. Civ. P. 41(b) for failure to prosecute.

The Clerk of Court is directed to mail a copy of this order to Plaintiff's last known address, which is the address listed on the court's docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment.

SO ORDERED.

Dated: July 9, 2024
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge